

PART 19 — SMALL BUSINESS PROGRAMS

TABLE OF CONTENTS

SUBPART 19.2 — POLICIES

- 19.201 General policy.
- 19.201-100 USACE Small and Disadvantaged Business Utilization (SADBU) Council.
- 19.202 Specific policies.
- 19.202-4 Solicitation.

SUBPART 19.5 — SET-ASIDES FOR SMALL BUSINESS

- 19.502-2-70 Total set-asides for small disadvantaged business concerns.

SUBPART 19.7 — SUBCONTRACTING WITH SMALL BUSINESS, SMALL DISADVANTAGED BUSINESS AND WOMEN-OWNED BUSINESS CONCERNS

- 19.705 Responsibilities of the contracting officer under the subcontracting assistance program.
- 19.705-4 Reviewing the subcontracting plan.
- 19.705-6 Postaward responsibilities of the contracting officer.

SUBPART 19.8 — CONTRACTING WITH THE SMALL BUSINESS ADMINISTRATION (THE 8(a) PROGRAM)

- 19.800(b) General.
- 19.803 Selecting acquisitions for the 8(a) Program.

SUBPART 19.10 — SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM

- 19.1001 General.
- 19.1003 Purpose.
- 19.1005 Applicability.
- 19.1006 Procedures.
- 19.1007 Solicitation provisions.

SUBPART 19.70 — EVALUATION PREFERENCE FOR SMALL DISADVANTAGED BUSINESS (SDB) CONCERNS

- 19.7001 Applicability.

SUBPART 19.72--- EVALUATION PREFERENCE FOR SMALL DISADVANTAGES BUSINESS (SDB) CONCERNS IN CONSTRUCTION ACQUISITIONS --- TEST PROGRAM

ENGINEER FAR SUPPLEMENT (EFARS)

PART 19 — SMALL BUSINESS PROGRAMS

SUBPART 19.2 — POLICIES

19.201 General policy.

(c)(6) The USACE Director SADBUC shall be afforded an opportunity to comment upon and contribute to the performance evaluation of Deputies for Small Business at Divisions, CERL, CRRL, TEC, WES, and HECSA. Deputies for Small Business at Divisions shall be afforded the same opportunity for the Deputies for Small Business at Districts.

(9)(B) Deputies for Small Business shall make the review and document it on DD Form 2579, Small Business Coordination Record, prior to synopsis of a requirement for A-E services in the Commerce Business Daily.

(S-91) Commanders shall forward the nominee for Deputy for Small Business, along with a summary of qualifications, to the headquarters Director SADBUC for review and consultation.

19.201-100 USACE Small and Disadvantaged Business Utilization (SADBUC) Council.

The USACE SADBUC Council is chaired by the USACE Director SADBUC. Its members are the Deputy for Small Business of the Divisions, CERL, CRRL, TEC, WES, and HECSA. The council shall meet at least annually at the call of the chairperson.

19.202 Specific Policies.

19.202-4 Solicitation. See 36.302(a)(ii).

SUBPART 19.5 — SET-ASIDES FOR SMALL BUSINESS

19.502-2-70 Total set-asides for small disadvantaged business concerns.

(b)(S-100) The legislation referenced at DFARS 219.000 does not apply to the civil works program, therefore, no civil works projects may be set-aside for

SDBs. (NOTE: This section has been suspended by DoD, effective 10/23/95).

SUBPART 19.7 — SUBCONTRACTING WITH SMALL BUSINESS, SMALL DISADVANTAGED BUSINESS AND WOMEN-OWNED BUSINESS CONCERNS

19.705 Responsibilities of the contracting officer under the subcontracting assistance program.

19.705-4 Reviewing the subcontracting plan.

(d) Before accepting a subcontracting plan with a small disadvantaged business goal of less than five percent, the contracting officer shall prepare an explanatory statement and include it, along with the approval request, and a copy of the evaluation cited at AFARS 19.705-4 (S-90).

SUBPART 19.8 — CONTRACTING WITH THE SMALL BUSINESS ADMINISTRATION (THE 8(a) PROGRAM)

19.800(b) General.

Architect-Engineer services may be obtained through the 8(a) Program using either sole-source or competitive procedures. The firms will be evaluated by USACE in accordance with the procedures in FAR 36.602.

19.803 Selecting acquisitions for the 8(a) Program.

(a) Deputies for Small Business are redelegated the authority to respond to SBA requests for commitments to support business plans of 8(a) firms in accordance with local procedures.

(c) Deputies for Small Business are redelegated the authority to identify to the SBA, after coordination and approval in accordance with local procedures, candidate projects for being accomplished by 8(a) firms. Each command shall review planned acquisitions every fiscal year to determine which acquisitions are suitable for the 8(a) program.

ENGINEER FAR SUPPLEMENT (EFARS)

PART 19 — SMALL BUSINESS PROGRAMS

SUBPART 19.10 — SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM

19.1001 General.

Public Law 104-208, the Omnibus Consolidated Appropriations Act, extends the Small Business Competitiveness Demonstration Program through 30 September 1997. The Act also extends the Reporting of Subcontract Participation in Contracts for A-E Services through 30 September 1997. SADBUs Policy Memorandum 94-1, dated 27 December 1993 provides implementing guidance.

The program to expand small business participation in dredging was not extended. See DFARS 219.502-2 for small business set-aside threshold for dredging.

SUBPART 19.70 — EVALUATION PREFERENCE FOR SMALL DISADVANTAGED BUSINESS (SDB) CONCERNS

19.7001 Applicability.

(b)(S-100) The evaluation preference in this subpart does not apply to the civil works program.

SUBPART 19.72 --- EVALUATION PREFERENCE FOR SMALL DISADVANTAGED BUSINESS (SDB) CONCERNS IN CONSTRUCTION ACQUISITIONS--TEST PROGRAM

19.7001 Policy.

19.7201 Administration of the Test Program.

MSCs, laboratories and centers will submit status reports required by DFARS Subpart 19.72 to HQUSACE (Attn: CEDB). The first status report is due 30 September 1997 and the second status report by 31 March 1999.

19.7202 Applicability.

(c). To avoid a disproportionate impact on non-SDB concerns or non-small business concerns, the test program will not be applied to those MSCs, laboratories and centers that are meeting or exceeding assigned SDB goals. Those designated as meeting the SDB goals shall not include the contract clause at 252.219-7008, Notice of Evaluation Preference for Small Disadvantaged Business Concerns --Construction Acquisitions--Test Program in solicitations. Those MSCs, laboratories and centers that fail to meet Army SDB goals will implement the test program and fully comply with DFARS 219.72. The USACE Director SADBUs will evaluate program performance semi-annually and recommend to the HCA which commands are to apply the evaluation preference.

(c)(S-100). Include the following language in the instructions to bidders in all solicitations that include DFARS clause 252.219-7008.

“In accordance with FAR clause 52.232-5(g), the Government will reimburse the contractor only for the amount of premium paid to the surety for performance and payment bonds. This is the amount to be entered as the bond cost on line __ of the bid schedule.”